

**SUMMARY OF ACTIONS**  
**Judicial Council Meeting**  
**April 24, 1998, San Francisco**

*The Judicial Council took the following actions at its April 24 meeting:*

**Allocation Plan for Reserve Funds**

- Approved an allocation plan by the Trial Court Budget Commission (TCBC) for the remainder of the 1 percent reserve (\$2.6 million) in the Trial Court Improvement Fund. The \$2.6 million comes from a 1 percent reserve that the council has set aside to meet the urgent unmet needs of the trial courts as the 1997–98 fiscal year draws to a close on June 30. The TCBC recommended allocation of the \$2 million coordination incentive to each of the 22 court systems that received a Judicial Council–approved overall assessment of “fully coordinated” as of the February 27 Judicial Council meeting, based upon the number of authorized and funded judgeships. The council also authorized staff to adjust the allocation schedule if any additional courts were added to the list of fully coordinated courts at the April 24 meeting. Marin County was added to the list at this meeting. In addition, the TCBC recommended that the remaining \$600,000 reserve be allocated to meet the critical needs of each court system, beginning with the smallest budget, until the reserve is exhausted, after adjusting for allocations first made from the \$2 million reserve.

**SCA 4 (Proposition 220) Implementing Rules and Forms**

- Adopted the SCA 4 Implementation Working Group recommendations to repeal rules relating to justice courts and add new rules and forms to implement Senate Constitutional Amendment 4 (Proposition 220), which is on the June 1998 ballot. This measure would permit judges in each county to vote for the voluntary unification of the superior and municipal courts into one countywide superior court.
- Deleted from the rules the recommendation that would have required the vote of individual judges on unification to be made public. The decision to make the vote public will be left to the presiding judge of each court within the county.

**Trial Court Coordination**

- Approved a recommendation of the Trial Court Coordination Advisory Committee to approve the trial court coordination plans for Los Angeles and Orange Counties for fiscal years 1997–98 through 1998–99.

- Approved a recommendation by the Trial Court Coordination Advisory Committee that the overall assessment of progress in implementing trial court coordination for the counties of Marin, Contra Costa, Santa Barbara, and Yuba be amended.

### **Pay Parity**

Voted that municipal court judges are eligible for pay parity with superior court judges in Orange, Contra Costa, Santa Barbara, Yuba, and Los Angeles Counties effective April 1, 1998. This brings to 54 the number of counties in which municipal court judges are eligible for pay parity with superior court judges.

### **Judgeship Allocation**

Approved an amended judgeship allocation schedule that reflects that Los Angeles and Orange Counties have final coordination plan approval. The allocation schedule also adds one judge to East Kern Municipal Court and recalculates the ranking for the Yolo County Superior/Municipal Court to include the court's full complement of judicial positions.

### **Appellate Clerk Transcripts**

Approved a recommendation by the Appellate Advisory Committee to amend rule 5(a) and (b) to require appellant's and respondent's designation of the contents of the clerk's transcript to describe each document "with particularity," including the title and date of filing or signing. In addition, the rule now specifies that a designation of *all* minute orders, *all* minute orders entered between specified dates, or *all* written jury instructions is sufficient designation of those documents.

### **Court Interpreters Testing Entities**

Approved the use of two testing entities to certify court interpreters—Cooperative Personnel Services and the Consortium for State Court Interpreter Certification.

### **Court Interpreters for the Deaf and Hearing Impaired**

Accepted a compliance report and approved the use of two testing entities for certifying court interpreters for deaf and hearing-impaired individuals: Registry of Interpreters for the Deaf and the California Coalition of Agencies Serving the Deaf and Hard of Hearing, Inc.

### **Pro Tem Use**

Directed the Court Profiles Advisory Committee to consider a court's use of pro tems as a positive factor in its assessment of trial court need, but not as a negative factor if a court has determined not to use pro tems.

### **Rules and Forms Changes**

- Approved an amendment to rule 1026 of the California Rules of Court, relating to the Trial Court Budget Commission. The amendment clarifies that the TCBC nomination and appointment process is consistent with that of other advisory committees; consistently refers to the trial court system rather than to individual trial courts of a county; and modifies the definition of a trial court system to provide that such a system include all courts of a county.
- Approved a proposal by the Probate and Mental Health Task Force to make changes in the forms used in probate guardianship and conservatorship proceedings.
- Approved a recommendation by the Rules and Projects Committee to adopt technical amendments (not requiring circulation) to rules and forms. These include: (1) repealing a rule regarding the fee for filing an out-of-state deposition; (2) revising the terms for the Trial Court Presiding Judges Advisory Committee; (3) amending the functions, duties, and membership of the Court Profiles Advisory Committee and the Governing Committee of the Center for Judicial Education and Research; (4) amending a rule to delete the requirement that fax cover sheets be included with service by fax; (5) amending a form to reflect 1998 increases in the federal poverty guidelines; and (6) amending a form on the fax filing pilot program.
- Approved a recommendation by the Family and Juvenile Law Advisory Committee to adopt new rules and forms and modify forms to implement statutory changes in the child support program and to improve efficiency of and access to the courts in child support cases.
- Approved a recommendation by the Family and Juvenile Law Advisory Committee to adopt: (1) a new rule and forms setting forth the procedure for a kinship adoption agreement (mandated by Assem. Bill 1544); (2) two new forms for optional use in cases involving the Interstate Compact on the Placement of Children; (3) new forms for optional use in adoptions of children who are not under the jurisdiction of the juvenile court; (4) a name change to Division I under the California Rules of Court, Title Five; and (5) a technical change to the *Paternity—Waiver of Rights (Juvenile Dependency)* form.

- Approved a recommendation by the Traffic Advisory Committee to adopt, effective immediately, the traffic notice to appear forms. Also the *Continuation of Citation* form and the policies and procedures contained within the revisions to the *Notice to Appear and Related Forms Manual*.
- Approved a recommendation by the Court Technology Advisory Committee to adopt rule 981.5 to allow courts to modify adopted Judicial Council forms as pilot projects for filing or generation of electronic documents.